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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
RAYMON D. HILL, et al.,
Defendants

No. CR 05-0324 MMC

**ORDER DENYING DEFENDANT
CYRUS'S MOTION TO SEAL;
DIRECTIONS TO CLERK**

The Court is in receipt of defendant Dennis Cyrus, Jr.'s ("Cyrus") "Motion to Seal Declaration of Richard Burr, Federal Death Penalty Resource Counsel, In Support of Dennis Cyrus, Jr.'s Motion for Continuance of Trial Date," filed September 28, 2007, by which motion Cyrus seeks to preclude access to the Declaration of Richard Burr ("Declaration") by all other parties to the instant action, on the ground said Declaration contains matter protected as both attorney work product and the attorney-client privilege.

Having reviewed the motion and supporting declaration of counsel for Cyrus, as well as the Declaration at issue, the Court finds and rules as follows.

To the extent portions of the Declaration are not based on assertedly privileged information, there is no need for sealing; to the extent the Declaration may be read as disclosing confidential communications, such material adds no significant support for the pending motion to continue, and the Declaration may be readily redacted by removal of


1 such material.

2 Accordingly, the motion to file the Declaration under seal is hereby DENIED.

3 The Clerk is directed to contact counsel for Cyrus to arrange for counsel to retrieve
4 the lodged Declaration.

5 **IT IS SO ORDERED.**

6 Dated: October 11, 2007


MAXINE M. CHESNEY
United States District Judge